

Tempe Fire Department Policies and Procedures
Access to Protected Health Information
210.15
Rev 12-8-04

PURPOSE

The purpose of this policy is to outline levels of access to Protected Health Information (PHI) by various members of Tempe Fire Department and to provide a policy and procedure on limiting access, disclosure, and use of PHI. Security of PHI is everyone's responsibility.

POLICY

Tempe Fire Department retains strict requirements on the security, access, disclosure, and use of PHI. Access, disclosure, and use of PHI will be based on the role of the individual staff member in the organization, and should be only to the extent that the person needs access to PHI to complete necessary job functions.

When PHI is accessed, disclosed, and used, the individuals involved will make every effort, except in patient care situations, to only access, disclose, and use PHI to the extent that only the minimum necessary information is used to accomplish the intended purpose.

PROCEDURE

Role Based Access

Access to PHI will be limited to those who need access to PHI to carry out their duties. The following describes the specific categories or types of PHI to which such persons need access is defined and the conditions, as appropriate, that would apply to such access.

Job Title	Description of PHI to Be Accessed	Conditions of Access to PHI
Line Members	CAD information, EMS incident reports, FireHouse entries	May access only records of patients they have treated
EMS Coordinator, EMS QA evaluator	CAD information, EMS incident reports, FireHouse entries	May access only as a part of training and quality management activities. All individually identifiable patient information should be removed before use in training and quality management activities.
City of Tempe Legal Staff	CAD information, EMS incident reports, FireHouse entries	May access only to the extent necessary to effectively respond to a medical/legal query or activity involving the Tempe Fire Department

Access to PHI is limited to the above-identified persons only, and to the identified PHI only, based on Tempe Fire Department's reasonable determination of the persons or classes of persons who require PHI, and the nature of the health information they require, consistent with their job responsibilities.

Access to a patient's entire file will not be allowed except when provided for in this and other policies and procedures and the justification for use of the entire medical record is specifically identified and documented.

TEMPE FIRE DEPARTMENT REQUESTS FOR PHI

If the Tempe Fire Department needs to request PHI from another healthcare provider on a routine or recurring basis, we must limit our requests to only the reasonably necessary information needed for the intended purpose, as described below. For requests not covered below, TFD members must make this determination individually for each request and should consult his or her supervisor for guidance.

Holder of PHI	Purpose of Request	Information Reasonably Necessary to Accomplish Purpose
Skilled Nursing Facilities	To have adequate patient records to determine medical necessity for service and continuance of care	Patient face sheets, discharge summaries, verbal report from care givers.
Mutual Aid and Mass Casualty events	To have adequate patient records to conduct patient care	Patient care reports and verbal reports from care givers.

For all other requests, determine what information is reasonably necessary for each on an individual basis.

Incidental Disclosures

Tempe Fire Department understands that there will be times when there are incidental disclosures about PHI in the context of caring for a patient. The privacy laws were not intended to impede common healthcare practices that are essential in providing healthcare to the individual. Incidental disclosures are inevitable, but these will typically occur in radio or face-to-face conversation between healthcare providers, or when patient care information in written or computer form is left out in the open for others to access or see.

The fundamental principle is that all Tempe Fire Department members must be sensitive about the importance of maintaining the confidence and security of all material we create or use that contains patient care information. Co-workers and other members should not have access to information that is not necessary for the member to complete his or her job. For example, it is generally not appropriate for members to tell “war stories” about patient encounters if that information will violate the privacy of those patients.

All personnel must be sensitive to avoiding incidental disclosures to other healthcare providers and others who do not have a need to know the information. Pay attention to who is within earshot when a member makes a verbal statement about a patient’s health information, and follow some of these common sense procedures for avoiding accidental or inadvertent disclosures:

Verbal Security

Public Areas: Members should be sensitive to that fact that members of the public and other agencies may be present during patient evaluation. Members should only discuss patient care information with those who are involved in the care of the patient. All members on an incident should work to make sure that the patient evaluation is conducted in privacy and information collected is not shared with bystanders, co-workers or gossip columnists. Conversations about patients and their healthcare should not take place in areas where those without a need to know are present. When patching with the hospital, do so in a private area.

Physical Security

EMS Incident Reports: Access to patient care reports should be limited to the members who were involved with that specific patient’s care. Only those with a need to have the information for the completion of their job duties should have access to any paper records. Any other persons or agencies requesting access to encounter forms must contact our Privacy Officer. Southwest Ambulance may copy the encounter form since they are a designated business associate as defined by HIPAA and are therefore allowed access to PHI.